

REMARKS

Claims 1-14 stand provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as “claims 1-14” of co-pending U.S. Patent Application No. 11/004,879. Claims 1-14 also stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-32 of co-pending U.S. Patent No. 11/094,815.

Applicant asserts that the provisional grounds of rejection are not ripe because no claim has been allowed in either U.S. Patent Application No. 11/004,979 or U.S. Patent Application No. 11/094,815. Because the issue is not ripe, the Examiner should withdraw the provisional rejections and permit the claims of the present application to issue.

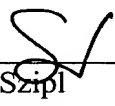
In addition, Applicant has filed an expressed abandonment in U.S. Patent Application No. 11/004,979, which moots the Section 101 rejection in the present case.

For the above reasons, the rejections of record should be reconsidered and withdrawn and claims 1-14 allowed.

Questions are welcomed by the below signed attorney for the Applicant.

Respectfully submitted,

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